

Message Text

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ACTION EUR-25

INFO OCT-01 ISO-00 EURE-00 CIAE-00 DODE-00 PM-07 H-03

INR-10 L-03 NSAE-00 NSC-10 PA-04 RSC-01 PRS-01 SPC-03

SS-20 USIA-15 SAM-01 IO-14 NIC-01 ACDA-19 DRC-01

SCI-06 /145 W

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P R 311524Z JAN 74

FM AMEMBASSY BONN

TO SECSTATE WASHDC PRIORITY 0076

INFO USMISSION BERLIN

USMISSION NATO BRUSSELS

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

C O N F I D E N T I A L SECTION 01 OF 02 BONN 01664

E.O. 11652: GDS

TAGS: PGOV, WB, GW

SUBJECT: ISSUE OF BUNDESTAG PRESIDUM AND COUNCIL OF
ELDERS MEETING IN BERLIN

REF: (A) STATE 19287; (B) BONN 1319

SUMMARY: UK REP AT JAN. 29 BONN GROUP MEETING PRESENTED
HIS INSTRUCTIONS ON ISSUE OF MEETINGS IN BERLIN OF
BUNDESTAG COUNCIL OF ELDERS AND PRESIDUM. HE SAID THAT
LONDON FELT COULD NOT ARGUE CONVINCINGLY THAT THESE
BODIES ARE NOT COMMITTEES; SUCH MEETINGS COULD ONLY BE
DEFENDED THEREFORE IF THEY WERE IN CONNECTION
WITH FRG/WSB TIES. IT WAS AGREED TO PROCEED RAPIDLY
WITH DRAFTING OF REPLY TO JAN. 2 SOVIET ORAL PROTEST
ALONG LINES SUCH MEETINGS NOT EXCLUDED BY QA. END
SUMMARY.

1. UK REP (CROMARTIE) REPORTED HIS INSTRUCTIONS AS
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FOLLOWS:

(A) THOUGH NOT SAYING THAT THE PRESIDUM AND COUNCIL OF ELDERS ARE COMMITTEES OF THE BUNDESTAG AS USED IN THE LETTER OF THE THREE AMBASSADORS IN THE QA, HMG IS OF VIEW IT CANNOT ARGUE THAT THESE BODIES ARE NOT COMMITTEES;

(B) FOR "POLITICO-LEGAL REASONS" HMG IS PREPARED TO DEFEND MEETINGS OF THESE BODIES IN WSB ONLY IF THEY ARE IN CONNECTION WITH THE TIES;

(C) A MEETING IN WSB TO DISCUSS USES OF REICHSTAG BUILDING WOULD BE ON DOUBTFUL GROUND;

(D) IN PRESENT SITUATION, WITH FRG JUST HAVING MADE A MAJOR DEMONSTRATION RE THE WSB IN ITS DECISION TO ESTABLISH ENVIRONMENT AGENCY THERE, NOW IS TIME TO EXERCISE RESTRAINT--PARTICULARLY AS PRESIDUM AND COUNCIL OF ELDERS MEETINGS ARE OF MARGINAL INTEREST AND THERE ARE OTHER MORE IMPORTANT THINGS RE WSB WHICH ARE DESIRABLE; AND

(E) REPLY TO SOVIETS SHOULD BE ALONG LINES THAT SUCH MEETINGS ARE NOT EXCLUDED BY QA BUT WITH NO SPECIFIC ASSERTION THAT THEY MAY MEET IN WSB WITHOUT RESTRICTIONS OF ANY KIND.

2. FRG REP (LUECKING) EXPRESSED HIS EXTREME DISAPPOINTMENT BUT SAID HE WOULD NOT GO OVER HIS PREVIOUS ARGUMENTATION, WHICH WAS WELL-KNOWN TO ALL. SENAT REP (MEICHSNER) SAID HE HOPED THE ALLIED REPLY WOULD ADDRESS THE DANGEROUS SOVIET ARGUMENT THAT WHAT IS NOT ALLOWED IN THE QA IS PROHIBITED; AND HE ALSO SAID THAT MEETINGS IN WSB OF THE TWO BODIES SHOULD NOT BE REGARDED AS SUCH

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C O N F I D E N T I A L SECTION 02 OF 02 BONN 01664

UNIMPORTANT EVENTS. FACT WAS THAT NO SUCH MEETINGS HAD BEEN HELD SINCE 1970 SINCE DECISION HAD BEEN TAKEN TO HOLD OFF SO AS NOT TO DISTURB ATMOSPHERE OF BERLIN NEGOTIATIONS.

3. US REP AGREED WITH MEICHSNER'S COMMENTS, INDICATING THAT SOVIET IMPLICATION OF WHAT NOT ALLOWED IS PROHIBITED MUST BE COUNTERED IN ALLIED REPLY. US REP ALSO SAID HE DID NOT AGREE WITH UK JUDGMENT THAT MEETINGS OF THESE BODIES IN WSB COULD BE DEFENDED ONLY IF THEY WERE IN CONNECTION WITH THE TIES, INDICATING BELIEF THAT MEETINGS THERE ON ANY SUBJECT EXCEPTING THOSE CONCERNING SECURITY AND STATUS, OF COURSE, WOULD BE FULLY COMPATIBLE WITH THE QA. (US REP HAD NOT RECEIVED REF A AT TIME OF BONN GROUP DISCUSSION.)

4. DISCUSSION CONCLUDED WITH AGREEMENT THAT DRAFTING CONFIDENTIAL

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OF REPLY WOULD CONTINUE ON URGENT BASIS, WITH DRAFT TO BE ALONG LINES THAT SUCH MEETINGS ARE NOT EXCLUDED BY THE QA WITH REJECTION OF IMPLIED SOVIET ARGUMENT THAT WHAT IS NOT SPECIFICALLY ALLOWED IN QA IS PROHIBITED.

5. COMMENT: IT APPEARS TO US THAT THE BRITISH LEGAL ARGUMENTATION IS VERY QUESTIONABLE. HOWEVER, THERE IS NO GAINSAYING THEIR POSITION CONCERNING THE NEED FOR MORE JUDICIOUS SELECTION BY THE FRG OF WHAT IT WANTS TO DO IN BERLIN. WE THINK IT IS IMPORTANT, NONETHELESS, THAT WE REMAIN ON RECORD AS ADHERING TO POSITION THAT NOTHING IN QA PRECLUDES MEETINGS OF THOSE TWO BODIES IN

BERLIN AND THAT SUCH MEETINGS WOULD NOT HAVE TO BE
LIMITED TO MATTERS CONCERNING THE TIES. AT THE SAME
TIME, WE WILL MAKE KNOWN TO THE FRG DEPARTMENT'S VIEWS
(REF A) THAT PRESSURE FOR A MEETING OF THE PRESIDUM AT
THIS TIME IN BERLIN MIGHT NOT BE POLITICALLY WISE,
PARTICULARLY GIVEN THE "MARGINAL" IMPORTANCE IN PRESENT
POLITICAL CONTEXT.
HILLENBRAND

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